

PUBLIC NOTICE

**US Army Corps
of Engineers®**

APPLICATION FOR PERMIT

Public Notice/Application No.: 2005-02098-SDM

Comment Period: January 16, 2007 through February 14, 2007

Applicant

Vanderbilt Farms
Christopher Huck
1121 West Warner Road
Tempe, Arizona 85284-2819

Agent

Del Sol Group
Noelle Sanders
1414 West Broadway Road, Suite 124
Tempe, Arizona 85282
(480) 642-9845

Location

At the proposed Viento residential development site, in the unnamed washes at (Section 30, T5S, R6E), Casa Grande, Pinal County, Arizona. (Hydrologic Unit Code: 15050303)

Activity

To discharge dredged and/or fill material into 2.5 acres of ephemeral waters of the United States for the development of the 320-acre residential development known as Viento. For more information, see page 3 of this notice and attached drawings.

Interested parties are hereby notified that an application has been received for a Department of the Army permit for the activity described herein and shown on the attached drawing(s). Interested parties are invited to provide their views on the proposed work, which will become a part of the record and will be considered in the decision. This permit application will be issued or denied under Section 404 of the Clean Water Act (33 U.S.C. 1344).

Comments can be e-mailed to sallie.mcguire@usace.army.mil

or mailed to:

**U. S. Army Corps of Engineers
ATTENTION: Regulatory Branch (2005-02098-SDM)
3636 North Central Avenue, Suite 900
Phoenix, Arizona 85012-1939**

Evaluation Factors

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof. Factors that will be considered include conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people. In addition, if the proposal would discharge dredged or fill material, the evaluation of the activity will include application of the EPA Guidelines (40 CFR 230) as required by Section 404 (b)(1) of the Clean Water Act.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Preliminary Review of Selected Factors

EIS Determination- A preliminary determination has been made that an environmental impact statement is not required for the proposed work.

Water Quality- The applicant will be required to obtain water quality certification, under Section 401 of the Clean Water Act, from the Arizona Department of Environmental Quality and/or the U.S. Environmental Protection Agency. For any proposed activity on Tribal land that is subject to Section 404 jurisdiction, the applicant will be required to obtain water quality certification from the U.S. Environmental Protection Agency. For any proposed activity on land other than Tribal land that is subject to Section 404 jurisdiction, the applicant will be required to obtain water quality certification from the Arizona Department of Environmental Quality. Section 401 of the Clean Water Act requires that any applicant for an individual Section 404 permit provide proof of water quality certification to the Corps of Engineers.

Cultural Resources- A cultural resources survey was conducted for the entire property in 2006. No sites were found that are eligible for listing on the National Register of Historic Places

(NRHP). This review constitutes the extent of cultural resources investigations by the District Engineer, and he is otherwise unaware of the presence of such resources.

Endangered Species- Preliminary determinations indicate that the proposed activity would not affect federally-listed endangered or threatened species, or their critical habitat. Therefore, formal consultation under Section 7 of the Endangered Species Act does not appear to be required at this time.

Public Hearing- Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearing shall state with particularity the reasons for holding a public hearing.

Proposed Activity for Which a Permit is Required

To discharge dredged and/or fill material into 2.5 acres of ephemeral waters of the United States for the development of the 320-acre residential development known as Viento. The project area includes approximately 2.5 acres of ephemeral waters of the U.S. No wetlands or perennial or intermittent streams were found on the property. The project area consists mostly of undisturbed, sparsely vegetated desert. The applicant proposes to impact a total of 2.5 acres of waters of the U.S. for backfill and grading and the construction of residential building pads. A designated drainage corridor would be developed to accommodate storm flows.

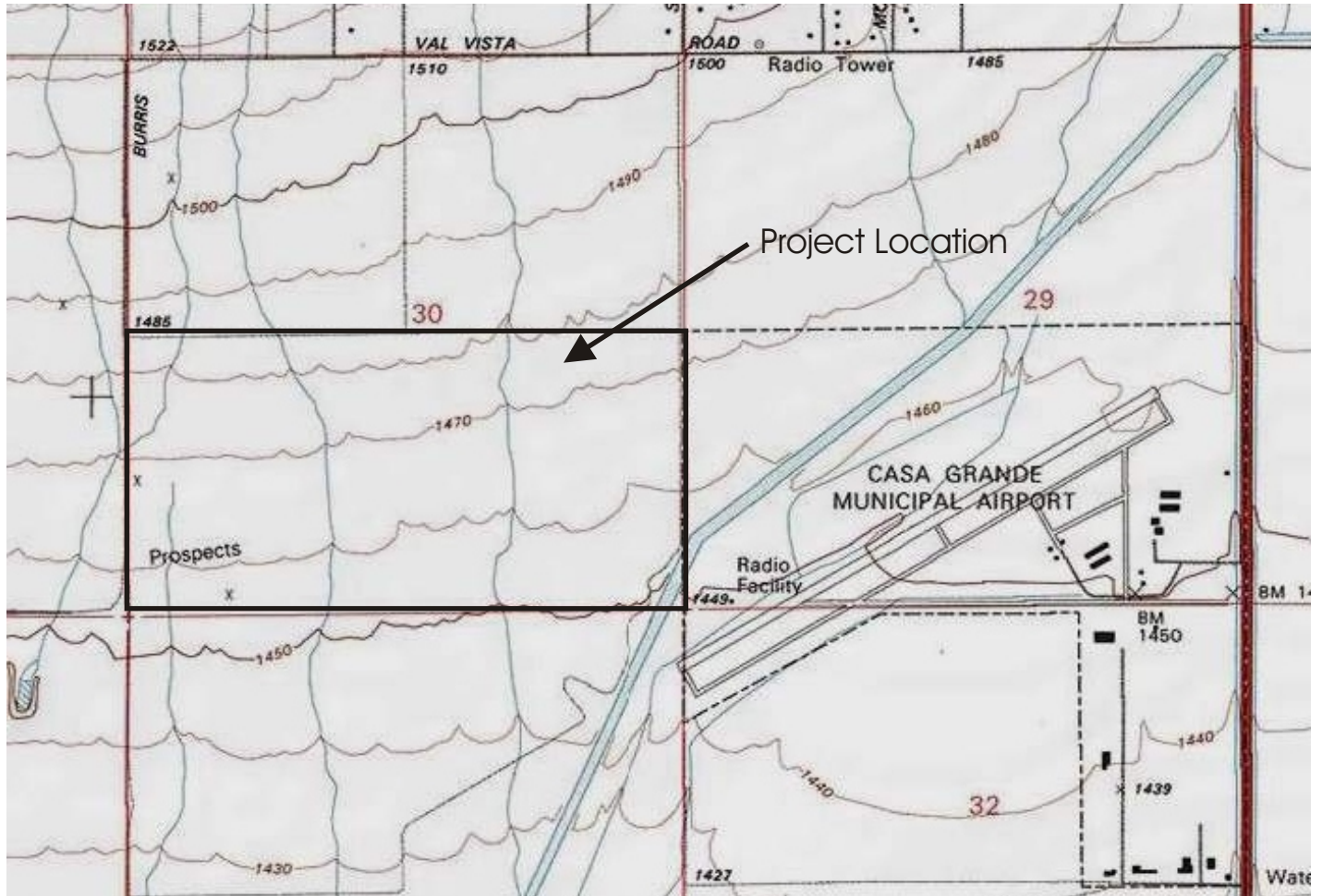
Additional Project Information

The overall project purpose for the 404(b)(1) Alternatives Analysis is to provide residential housing within the Casa Grande, Arizona, area. The basic project purpose for the Water Dependency Test is housing.

Proposed Special Conditions

To be developed.

For additional information please call Sallie D. McGuire at (602) 640-5385 x 221 or send an e-mail to sallie.mcguire@usace.army.mil. This public notice is issued by the Regulatory Branch of the Los Angeles District of the US Army Corps of Engineers.



North

Scale: 1"=1625'

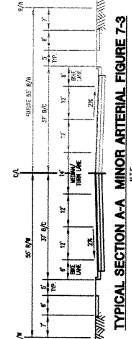
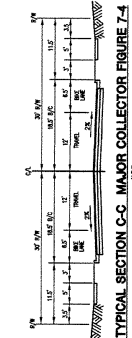
Viento

Figure 1. Project Location Map
Pinal County, Arizona



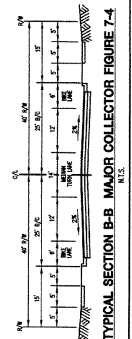
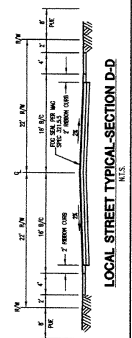
PRELIMINARY PLAT
OF
VIENTO

PART OF SW 1/4, SECTION 30,
T15S, R6E, FINAL AND SALVAGER MERIDIAN,
GILA BUTTES



TRACT TABLE

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119	1.00 AC
TOTAL	119.00 AC



PROJECT: PRELIMINARY PLAT

CITY OF GILA, ARIZONA

DESIGNER: J.M.

DRAWN BY: S.D.

PRELIMINARY CONSTRUCTION OR RECORDING

PROJECT NO: 01-2005-032

SHEET NO: 1 of 5

AMC Infrastructure, Inc.

4435 EAST HOLMES AVENUE
MESA, ARIZONA 85208
PHONE (480) 830-3700
FAX (480) 830-3903

CONSULTANT
JAMES L. HOLMES, INC.
1121 N. WINDSOR, SUITE 100
MESA, ARIZONA 85208-3372
PHONE (480) 831-2000
FAX (480) 831-2000

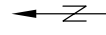
BENCHMARK
CONCRETE MARKER "202" C
ELEVATION: 1454.30'

UTILITIES
WATER: ARIZONA WATER CO.
CITY OF GILA WATER
ELECTRIC: ARIZONA PUBLIC SERVICE
ARIZONA PUBLIC SERVICE
CITY OF GILA CABLE
CITY CABLE

VICINITY MAP
NOT TO SCALE

REVISIONS
1st SUBMITTAL 10/3/05

01-2005-032



1"=400'

LEGEND



APPROXIMATE LOCATION OF WATERS
OF THE U.S. - AS DELINEATED BY
US ARMY CORPS OF ENGINEERS 10/12/05.

PRELIMINARY
NOT FOR CONSTRUCTION
OR RECORDING